

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:16cv43**

<b>BEVERLY &amp; CAREY CRESPO,</b>	)	
	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	
	)	<b>ORDER</b>
	)	
<b>OCWEN LOAN SERVICING, LLC,</b>	)	
<b>et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
_____	)	

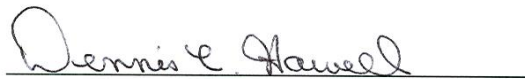
Pending before the Court is the Motion for entry of Default [# 10]. Plaintiffs move for the entry of default against Defendants. Previously, the Court granted Plaintiff leave to file an Amended Complaint and granted Plaintiff an additional thirty days to perfect service on Defendants. Plaintiffs filed their Amended Complaint on September 13, 2016. To date, however, Plaintiff has not filed any proof of service with this Court and it appears to the Court that Plaintiffs failed to comply with the Court's August 29, 2016, Order and perfect service on Defendants. Accordingly, the Court **DENIES** the Motion for Entry of Default [# 10].

In its prior Order, the Court also granted Defendants leave to renew their

Motion to Dismiss after the expiration of the thirty day time period for Plaintiffs to perfect service on Defendants. Defendants, however, failed to renew their motion.

The Court **DIRECTS** the parties to **SHOW CAUSE** in writing by January 20, 2017, whether the Court should recommend to the District Court that it dismiss this case for failure to perfect service. Specifically, Plaintiffs should demonstrate that they complied with the Court's prior Order and perfected service on Defendants. The failure of Plaintiffs to do so will result in this Court entering a Memorandum and Recommendation recommending that the District Court dismiss this case for failure to perfect service.

Signed: January 3, 2017

A handwritten signature in cursive script, reading "Dennis L. Howell", is written over a horizontal line.

Dennis L. Howell  
United States Magistrate Judge

